

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

In re JEFFREY WATSON POTTER,

Debtor,

MARTIN S. FRIEDLANDER,

Appellant,

vs.

No. CIV 08-455 JB/ACT

BANK OF AMERICA, N.A., LA VISTA  
HOMEOWNER'S ASSOCIATION,  
YVETTE J. GONZALES, Chapter 7 Trustee,  
JEFFERY WATSON POTTER,  
UNITED STATES TRUSTEE, et al.,

Appellees.

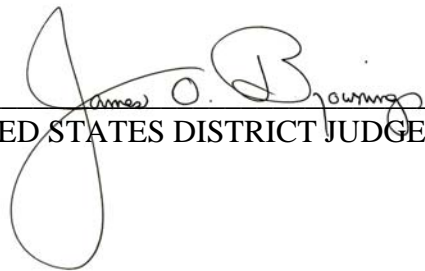
**ORDER**

**THIS MATTER** comes before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition, filed November 5, 2008 (Doc. 23). The Honorable Alan C. Torgerson, United States Magistrate Judge, recommended that the Court grant Chris W. Pierce's Motion to Dismiss Portions of Appeal as Untimely to the extent that paragraphs 16-19 and 31 of Martin S. Friedlander's Statement of Issues on Appeal are an appeal of the Bankruptcy Court's fee award. Judge Torgerson further recommended that these issues should be stricken from the Statement of Issues on Appeal.

No objections to Judge Torgerson's recommendations were filed. The Court has carefully reviewed the record and Judge Torgerson's recommendations, and agrees with Judge Torgerson's proposals.

The Court will therefore adopt the Magistrate Judge's Proposed Findings and Recommended Disposition.

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Proposed Findings and Recommended Disposition is adopted by the Court, and paragraphs 16-19 and 31 are stricken from the Martin S. Friedlander's Statement of Issues on Appeal.



UNITED STATES DISTRICT JUDGE